

GOVERNMENT OF TELANGANA

ABSTRACT

I&CAD Department – Work Charged Establishment - Reinstatement of Sri E. Venkat Reddy and Sri S. Narasimha Rao as NMR Pump Mechanics on daily wages (Fresh recruit) without any back wages and other attendant benefits as per Awards in I.D. No's.149/1996 & 213/1995 and Hon'ble High Court orders in W.P. No's.6820/2000 and 6883/2000 – Orders Issued.

IRRIGATION & CAD (Ser.III) DEPARTMENT

G.O.MS.No. 4,

Dated: 08-01-2015.

Read the Following:

1. From the Engineer-in-Chief (IW) I&CAD Hyderabad Lr. No.ENC/IW/P&M/EE.III/W2/33828/1995-PF, dated 27.07.2012 & 13.10.2012.
2. Govt. Letter No.18346/Ser.V.3/2012-6, dated 07.03.2013.
3. From the Learned Advocate General Lr. No.1142/13-Opinion.No.26/2013, dated 05.11.2013.

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ORDER:

In the reference 1st read above, the Engineer-in-Chief (IW), I&CAD Department, Hyderabad has reported that, Sri E. Venkat Reddy, Mechanic and Sri S. Narasimha Rao, Pump Operator were engaged in erstwhile M/s A.P. State Construction Corporation Ltd. during 1976-77 on daily wage basis. On retrenchment, they filed I.D. No's.149/1996 and 213/1995 and the Labour Court in its award dated 28.09.1998 & 31.07.1998 respectively, has set aside the oral retrenchment/termination orders passed against the petitioner and directed the respondents to reinstate the petitioner into service as "Fresh recruit" and to treat and consider the seniority of the petitioner as per the seniority list of the year 1979, if any regular appointments are made after retrenchment of the petitioner and the petitioner is not entitled for any back wages and other attendant benefits. The Department filed W.P. No's.6820/2000 & 6883/2000 and the same were dismissed by the Hon'ble High Court on 25.11.2010 and confirmed the reinstatement. Hence, he has submitted proposals for reinstatement of Sri E. Venkat Reddy and Sri S. Narasimha Rao as daily wagers (Fresh recruit) without any back wages and other attendant benefits as per Awards in I.D. No's.149/1996 & 213/1995 and the Hon'ble High Court orders in W.P. No's.6820/2000 and 6883/2000.

2. The Learned Advocate General in the reference 3rd read above has given his opinion that, no useful purpose will be served by filing Writ Appeals against the order made in W.P.Nos.6820/2000 and 6883/2000, dated 25.11.2010 and advised to comply the orders passed in I.D. Nos.149/1996 and 213/1995 on the file of the Industrial Tribunal-cum-Labour Court, Warangal.

3. After careful examination of the matter, Government hereby directs the Engineer-in-Chief (IW), I&CAD Department, Hyderabad to reinstate Sri E. Venkat Reddy and Sri S. Narasimha Rao as NMR Pump Mechanics on daily wages (Fresh recruit) without any back wages and other attendant benefits as per Awards in I.D. No's.149/1996 & 213/1995 and Hon'ble High Court orders in W.P. No's.6820/2000 and 6883/2000, subject to all other conditions essential for engaging Pump Mechanics are fulfilled which include:

- a) Work load assessment is conducted based on standard parameters that justifies hiring of pump mechanics on daily wages
- b) Vacant post of pump mechanics exist and permission obtained for filling these posts even on daily wages.

(P.T.O.)

- c) The petitioners are fully qualified in terms of education, experience, age, rule of reservation, localization under the Presidential order.
- d) Hiring on daily wages will be effective from the date of contracting which shall not confer any benefits relating to any other period.
- e) The department shall specify the day and hours of work contract and monitor performance based on measurable indicators specified in the work contract.

5. The Engineer-in-Chief (IW), I&CAD Department, Hyderabad shall take necessary action in the matter accordingly.

6. This order issues with the concurrence of Finance (PC.III) Department vide their U.O. No.1457/21/A2/HRM-1/2014, dated 01.08.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Engineer-in-Chief (IW), I&CAD Department, Hyderabad.
Copy to:
The Chief Engineer, Nagarjuna Sagar Project, Hill Colony, Nalgonda.
The Superintending Engineer, NSLBC O&M Circle, Tekulapally.
Finance (HRM-I) Department.
S.f. / S.c.

//Forwarded By Order//

SECTION OFFICER